

## Ex. 6 - Personal Privacy

October 5, 2016

MDEQ Back Forty Comments  
Office of Oil, Gas, and Minerals  
1504 West Washington Street  
Marquette, Mi 49855  
[DEQ-Mining-Comments@michigan.gov](mailto:DEQ-Mining-Comments@michigan.gov)

Re: My objections to the proposed Back Forty Project

Dear MDEQ:

The location of the proposed Back Forty Project, right next to Michigan's shoreline of the Menominee River, has too many challenges, risks, and potential environmental problems to allow the creation of this mine. In addition, Aquila Resources Inc., a Canadian corporation is inexperienced (their first and only mine) and appears to be underfunded to safely create and operate the Back Forty Project. Deny the mine permit application now and keep us safe.

The mine permit application states the life of the mine. All calculations are based on this time frame. However, Aquila's website and press releases don't agree with the application. Aquila wants to extend the mine's life by adding an underground mine extension. This means that all their operational calculations included in the mine permit application don't fit the extended time frame. This is a major flaw since Aquila is requesting one thing, but is really planning on something completely different. Does the MDEQ know what Aquila wants to do?

A major risk from all sulfide mines, especially this one, is the pollution of nearby water sources, such as, the Menominee River and Lake Michigan. It would only take one mistaken calculation, a poor business decision, or the act of an upset employee to severely damage or destroy the river, Lake Michigan, and the life forms in them.

Speaking of mistakes, keep in mind that Aquila wants to realize a big profit from this mine. So, picture this scenario when it's time for Aquila to make an operational decision that has two options. Which one will they take? First option enables them to protect or improve profits and the second option requires them to spend profits in order to protect the environment. Which one do you think they'll take? Examples of problems caused by profit making decisions are the recent (2014 and 2015) dam failures in Brazil's Bento Rodrigues area and the Mount Polley dam in British Columbia. The Gold King mine waste water spill in Colorado is another example of an operational mistake.

Mining mistakes are difficult to prevent and even harder to correct. Take look at the number and size of mining caused pollution problems out west (Montana, Utah, Wyoming, etc.) they are humungous and all of us taxpayers are paying for the clean up.

The noise from frequent blasting, the operation of mining equipment and processing plants would disturb everyone and everything in the area. The 24 hour a day, 365 days a year noise and vibrations would be especially nasty for nearby residents and all the animals, birds and river life. When area residents purchased their homes they did so with the understanding that this area would be a quiet peaceful rural location not a noisy mining site. Would Joe Maki live here? Would Governor Snyder live here? No one wants to live next to all the noise, vibrations, dust, etc., the mine will produce?

The proposed mine site includes a major wetlands area that would be destroyed and not replaced. Trading wetland sites may be statutorily allowed but there would be a net loss of wetlands. The environment would suffer from this substantial loss. What happens to all the plant and animal life that depend on these wetlands? They will suffer. In addition, I'm wondering if some employees at the MDEQ and/or the Michigan DNR may have a conflict of interest on this wetlands issue?

There are cultural Menominee Indian sites located on the proposed mining acreage and other nearby locations as well as their rice planting areas. These sites would be destroyed. This destruction shouldn't be allowed to happen.

The Lake Michigan Sturgeon Passage program on the Menominee River will be completed in the Spring of 2017. Federal, state and private monies, totaling \$7,000,000 are invested in this project. Any change in the Menominee River water quality will harm or kill newly spawned eggs and the young sturgeon that develop from these eggs. This mine cancels out the benefits of the Lake Michigan Sturgeon Passage program, making the program a complete waste of money and work.

Aquila's economic study doesn't appear to clearly address the lost business and reduced property values caused by this mine. Lots of residents and visitors to the area enjoy the use of the river. We do boating, fishing, hiking, camping, etc. in the area. Visitors, such as me, spend lots of money for hotels, restaurants, gas stations, fishing guide services, etc., on these trips. My friend Tim Landwehr operates a fly fishing guide service on the Menominee River. A noisy and polluted river means he and others will soon be out of business. Area property values will decrease substantially if the mine is created.

Do the mine permit calculations take into consideration climate change? We regularly see the effects of climate change in the form of major storms that produce substantially more rain and snow than we've experienced in the past. Are these frequent "100 year" storms considered in Aquila's calculations?

U.S. Senator Mark Kirk from Illinois has been very active in generating and supporting programs to protect and clean up the Great Lakes. Lots of time, effort and money is being spent to correct many existing problems. It doesn't make sense to allow this mine to be created since we all know that, in spite of Aquila's statements, there will be pollution problems that will be expensive to correct. It's a proven fact that there has never been a sulfide mine that hasn't contaminated nearby water sources. The Menominee River is within 150 feet of the edge of the mine pit. This is too close to the river to assume it won't be injured and need urgent care.

Who is going to pay to clean up a problem? Will money be available for the work? You might think that the funds provided in the Financial Assurance agreement will be used. But, you'd be wrong. These funds won't be readily available. Based on my business experiences, and perhaps yours, I'm certain that Aquila will use all available measures to prevent the State of Michigan from accessing these funds. This means legions of attorneys will be employed by Aquila to prevent the State from using these funds. If you doubt me, spend a few minutes listening to Donald Trump explaining how he runs his business. Aquila will certainly follow Trump's business model to stop or delay payments.

Unless the State of Michigan is holding cash as the required Financial Assurance and has total control over the use of this money Aquila will stop or certainly delay any payments from this account. Aquila's entire focus will be to protect their assets and not spend any money to fix the problems they produce.

Governor Snyder's responses in congressional hearings and interviews about the Flint Water Crisis included comments about the wrong culture that exists at the MDEQ. Their culture focused on filling in the blanks on prescribed checklists and giving business interests what they want. This culture totally ignored the public's interests and health. The Governor said he was going to change the MDEQ culture. I don't know if there has been any effort or success in changing this culture so it would focus on people and their health versus procedures and businesses. Some actions by the MDEQ suggest this change hasn't been implemented or maybe even considered.

My reason for this comment is that the MDEQ raised nearly 200 questions about Aquila's mine permit. Makes me wonder why Aquila wasn't able to submit a complete and accurate application? Were they really relying on the MDEQ to provide answers and guidance on how to satisfy the items on the checklist? And now there are secret discussions underway between the MDEQ and Aquila about the wetlands issue. Is the MDEQ coaching Aquila on how to correctly write the wetlands request? These MDEQ actions don't look like a culture change is happening or maybe even being considered.

The primary reason I'm here is totally selfish on my part. I like to fish for smallmouth bass on the Menominee River. It offers really great bass fishing to me and my friends. We travel from Illinois to fish this river on several multi day trips each year. We are afraid that the Back Forty

Project will damage or destroy the greatest bass fishing location in the Midwest. I want to keep fishing the Menominee River especially at locations downstream from the White Rapids Dam.

Don't approve the mine permit. Keep the area quiet and peaceful so I can go bass fishing and contribute dollars to Michigan's tourism industry.

Sincerely,

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